

to the chief. Anyone burning in such district when the open burning ban has been waived must notify the fire department of his or her intention to burn. The committee heard this bill and of course Fire Chief Wally Barnett came, Fire Marshal I should say, came before us and as you know there was a burning ban across the State of Nebraska just about all of last year and we also had problems because conditions do vary across the state. For instance, just these last few weeks we've had fires out in western Nebraska when there has been a couple, three or four inches of snow on the ground in eastern Nebraska. So it makes a lot more sense to have that power in the hands of the local fire chief and we think the amendment is necessary. It gives them a right to waive a period of time really to allow people to burn. The only trouble is they would have to notify the fire chief or I shouldn't say trouble, but the only requirement would be that they have to notify the fire department when they want to burn. I move for adoption of the amendment.

PRESIDENT: Seeing no further discussion on the amendments, Senator Kahle, that will constitute your opening and your closing. The question is the adoption of the committee amendments on LB 790. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The motion carries. The committee amendments are adopted. We are now ready, Senator Duda, for you to present the bill.

SENATOR DUDA: Mr. President, Senator Kahle explained the bill pretty well. I might say I feel that the title is perhaps misleading when it says it is going to be a statewide burning ban. This is an action the Legislature took in 1980 which allowed the State Fire Marshal to impose a statewide burning ban. What this bill does is it puts the ban permanently in place but it gives all the local fire departments the right to waive this ban. So in essence it is not a change from anything you have had in the past but it just makes it specific so that if you intend to burn you don't have to wonder, is there a burning ban or not. It does establish communications between you and your fire department. It helps them in the respect that if it is too dry in your area they have the prerogative to tell you to wait and in addition to that it will cut down on a lot of false alarms because if you're burning and someone sees it and doesn't know it is a controlled fire, they call the fire department and so it is a matter of communicating be-